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EXAMINER	
SETO, JEFFREY K	

ART UNIT	PAPER NUMBER
2458	

NOTIFICATION DATE	DELIVERY MODE
12/22/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/535,183	HONDA ET AL.	
	Examiner	Art Unit	
	Jeffrey Seto	2458	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 October 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4,6-9,13-18,20-23 and 27* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4,6-9,13-18,20-23 and 27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claims 1-4, 6-9, 13-18, 20-23 and 27 are pending.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 9-8-2009 has been entered.

Response to Arguments

Applicant's arguments filed 9-8-2009 have been fully considered but they are not persuasive. Regarding Applicant's argument that Lockridge does not teach a MAC list with empty and closed slots. Applicant defines the MAC list wherein information for one client is set as registration data for one slot. Lockridge teaches a routing table that stores MAC addresses of devices that have joined the network (See paragraph 21, lines 14-16). Since a device with a conflicting MAC address is not allowed to register with the network, the slot for that MAC address can be said to be "closed". Slots for all none conflicting MAC addresses, can be said to be "empty".

Regarding Applicant's argument that Nessett does not teach changing a slot from empty to closed in response to the lapse of a predetermined amount of time. Nessett

teaches that client is given a window of time in which to install and/or register with the network. And, if not completed within the window of time, the registration/installation will be rejected (See column 4, lines 20-23). The window of time in Nessett equates to the predetermined amount of time in Applicant's claims.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 27 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Regarding claim 27, the claim recites "A computer-readable storage medium". It can be reasonably interpreted that the computer-readable storage medium would include embodiments including propagation media, such as carrier waves, which fail to establish a statutory category of invention. Amending the specification as well as the claim to recite "a non-transitory computer readable storage medium" is believed to be sufficient to overcome this rejection

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1. Claims 1-4, 6-9, 13-18, 20-23 & 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 2003/0110240 to Lockridge, et al. (Lockridge), in view of U.S. Patent No. 6,865,673 issued to Nessett, et al. (Nessett).

2. Regarding claim 1, Lockridge teaches an information processing apparatus for connecting to a network to which a plurality of devices are connected, and executing a process of generating an access control list, comprising: a reception unit configured to receive a packet from a client that serves as an access requesting apparatus through the network (See paragraph 19, lines 5-17; wherein the reception unit is in the router and receives the ARP packet); a storage unit configured to store a MAC list in which information for one client is set as registration data for one slot (See par. 16, lines 1-7; wherein memory 220 is the storage unit); a registration permission judgment unit configured to confirm whether or not there is an empty slot in the MAC list and to judge that a registration is permitted only if there is the empty slot in the MAC list, in a client registration process based on a received packet at the reception unit (See par. 20, lines 5-10; wherein there is an "empty slot" when there is no other device with a conflicting MAC address); and a registration processing unit configured to acquire data containing a client MAC address from the received packet and to execute a registration process for the MAC list, in accordance with a judgment of the registration permission by the registration permission judgment unit (See par. 20, line 7, and par. 21, lines 14-16; wherein the MAC list is in the routing table).

Lockridge does not teach the MAC list including a pre-determined number of empty slots that define openings in the MAC list for additional devices to be granted permission to access the information processing apparatus, one of the empty slots being set to change from empty to closed after a predetermined amount of time has lapsed, a closed slot being a slot on the MAC list that cannot be occupied, and a control unit configured to change the one of the empty slots from empty to closed in response to the lapse of the predetermined amount of time. However, Nessett teaches, the MAC list including a pre-determined number of empty slots that define openings in the MAC list for additional devices to be granted permission to access the information processing apparatus, one of the empty slots being set to change from empty to closed after a predetermined amount of time has lapsed, a closed slot being a slot on the MAC list that cannot be occupied, and a control unit configured to change the one of the empty slots from empty to closed in response to the lapse of the predetermined amount of time (See col. 1, lines 46-47, and col. 5, lines 42-45; wherein only pre-authorized devices/clients are allowed to be installed, which equates to a pre-determined number of slots corresponding to a predetermined number of clients; and col. 4, lines 20-23; wherein the window of time, is the predetermined amount of time, and wherein the control unit is inherent). Using the features of Nessett in the system of Lockridge would have provided system control regarding which devices were allowed to connect to the system and regarding the total number of devices that were allowed to connect. Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to combine the teachings of Nessett with Lockridge.

3. Regarding claim 2, Lockridge, in view of Nessett, teach the invention as described in claim 1. Lockridge further teaches the registration processing unit is configured to acquire a sender MAC address contained in a header field of the packet received from the client (See par. 19, lines 17-22; wherein the MAC and other addresses are in the header of the ARP packet) and to adopt the acquired sender MAC address as registration information of the MAC list (See par. 21, lines 14-16).

4. Regarding claim 3, Lockridge, in view of Nessett, teach the invention as described in claim 1. Lockridge further teaches a packet analysis unit configured to judge whether the packet received from the client is a registration processing request packet or a data processing request packet (See par. 19, lines 15-17; wherein scanning and determining is the equivalent of analyzing and judging); and characterized in that: if the packet received from the client is the registration processing request packet, the registration permission judgment unit executes a registration permission judgment process in accordance with a presence/absence detection process for the empty slot in the MAC address (See par. 20, lines 5-10); and the registration processing unit executes a registration process in accordance with the judgment of the registration permission by the registration permission judgment unit (See par. 21, lines 14-16).

5. Regarding claim 4, Lockridge, in view of Nessett, teach the invention as described in claim 1. Lockridge further teaches if the packet received from the client is the data processing packet, the registration permission judgment unit executes the registration permission judgment process in accordance with the presence/absence detection process for the empty slot in the MAC address (See par. 18, lines 4-7); and

the registration processing unit executes the registration process for the MAC list in accordance with the judgment of the registration permission by the registration permission judgment unit, by acquiring the data containing the client MAC address from the received data processing request packet (See par. 20, lines 5-10, and par. 21, lines 14-16).

6. Regarding claim 6, Lockridge, in view of Nessett, teach the invention as described in claim 1. Lockridge does not teach the registration permission judgment unit is configured to execute a process of judging whether or not a data processing request sequence from the client correctly and reliably executes a sequence in conformity with a UPnP protocol; and the registration processing unit is configured to execute the registration process for the MAC list in accordance with a judgment that the data processing request sequence from the client correctly and reliably executes the sequence in conformity with a UPnP protocol. However, Nessett teaches this limitation (See col. 2, lines 51-53). Using the plug and play protocol of Nessett in the system of Lockridge would have broadened the appeal of the system by allowing for the addition of popular plug and play devices. Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to combine the teachings of Nessett and Lockridge.

7. Regarding claim 7, Lockridge, in view of Nessett, teach the invention as described in claim 1. Lockridge does not teach the registration permission judgment unit judges whether a content directory service (CDS) request process in the sequence in conformity with the UPnP protocol is executed or not in response to a data

processing request from the client; and the registration processing unit is configured to execute the registration process for the MAC list in accordance with a judgment that the content directory service (CDS) request process is executed, by acquiring the data containing the client MAC address from the received data processing request packet. However, Nessett teaches this limitation (See col. 2, lines 51-53; wherein a content delivery service request, such as a request for a movie from a video service, would be treated the same as any other data request; meaning that it would not trigger the registration process). Using the plug and play protocol of Nessett in the system of Lockridge would have broadened the appeal of the system by allowing for the addition of popular plug and play devices. Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to combine the teachings of Nessett and Lockridge.

8. Regarding claim 8, Lockridge, in view of Nessett, teach the invention as described in claim 1. Lockridge further teaches the registration processing unit is configured to execute the registration process for the MAC list by acquiring the MAC address and identification information different from the MAC address stored in the packet received from the client (See par. 20, lines 5-10; wherein the IP address is the different ID information).

9. Regarding claim 9, Lockridge, in view of Nessett, teach the invention as described in claim 8. Lockridge further teaches the identification information different from the MAC address is identification information of global unique ID information or key

information set to a client apparatus (See par. 20, lines 5-10; wherein the IP address is the global ID).

10. Regarding claim 13, this claim recites a system with the same or similar limitations as those in claim 1, and is rejected for the same reasons.

11. Regarding claim 14, this claim recites a system with the same or similar limitations as those in claim 4, and is rejected for the same reasons.

12. Regarding claim 15, this claim recites a method for operation the apparatus of claim 1, and is rejected for the same reasons.

13. Regarding claim 16, this claim recites a method for operation the apparatus of claim 4, and is rejected for the same reasons.

14. Regarding claim 17, this claim recites a method for operation the apparatus of claim 3, and is rejected for the same reasons.

15. Regarding claim 18, this claim recites a method for operation the apparatus of claim 6, and is rejected for the same reasons.

16. Regarding claim 19, this claim recites a method for operation the apparatus of claim 7, and is rejected for the same reasons.

17. Regarding claim 20, this claim recites a method for operation the apparatus of claim 8, and is rejected for the same reasons.

18. Regarding claim 21, this claim recites a method for operation the apparatus of claim 7, and is rejected for the same reasons.

19. Regarding claim 22, this claim recites a method for operation the apparatus of claim 2, and is rejected for the same reasons.

20. Regarding claim 23, Lockridge, in view of Nessett, teach the invention as described in claims 1 & 15. Lockridge further teaches the identification information different from the MAC address is identification information of global unique ID information or key information set to a client apparatus (See par. 20, lines 5-10; wherein the IP address is the global ID).

21. Regarding claim 27, this claim recites a computer-readable storage medium with instructions for operating the apparatus of claim 1, and is rejected for the same reasons.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey Seto whose telephone number is (571)270-7198. The examiner can normally be reached on Monday thru Thursday and alt. Fridays, 9:30 AM-7 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph E. Avellino can be reached on (571) 272-3905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JKS
12/16/2009

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